

§ 251.205

entry where the merchandise is examined.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1374, as amended (26 U.S.C. 5301))

[T.D. ATF-114, 47 FR 43951, Oct. 5, 1982, as amended by T.D. ATF-242, 51 FR 39526, Oct. 29, 1986]

§ 251.205 [Reserved]

§ 251.206 Bottles not constituting approved containers.

The Director is authorized to disapprove any bottle, including a bottle of less than 200 ml. capacity, for use as a liquor bottle which he determines to be deceptive. The Customs officer at the port of entry shall deny entry of any such bottle containing distilled spirits upon advice from the Director that such bottle is not an approved container for distilled spirits for consumption in the United States.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1374, as amended (26 U.S.C. 5301))

[T.D. ATF-114, 47 FR 43951, Oct. 5, 1982]

§ 251.207 Bottles to be used for display purposes.

Empty liquor bottles may be imported and furnished to liquor dealers for display purposes, provided each bottle is marked to show that it is to be used for such purpose. The importer shall keep records of the receipt and disposition of such bottles, showing the names and addresses of consignees, dates of shipment, and size, quantity, and description of bottles.

[T.D. ATF-206, 50 FR 23956, June 7, 1985]

§ 251.208 Liquor bottles denied entry.

Filled liquor bottles, not conforming to the provisions of this subpart, shall be denied entry into the United States: *Provided*, That, upon letterhead application, in triplicate, the regional director (compliance) of the region in which the port of entry is situated may, in nonrecurring cases, authorize the release from customs custody of distilled spirits in bottles, except those coming under the provisions of § 251.206, which, through unintentional error, do not conform to the provisions of this sub-

27 CFR Ch. I (4-1-99 Edition)

part, if he finds that such release will not afford a jeopardy to the revenue.

(Approved by the Office of Management and Budget under control number 1512-0352)

[T.D. 6954, 33 FR 6819, May 4, 1968. Redesignated at 40 FR 16835, Apr. 15, 1975, and amended by T.D. ATF-172, 49 FR 14943, Apr. 16, 1984]

§ 251.209 Used liquor bottles.

The Director may pursuant to letterhead application filed in triplicate, authorize an importer to receive liquor bottles assembled for him as provided in § 194.263 of this chapter. Used liquor bottles so received may be stored at any suitable location pending exportation for reuse. The importer shall keep records of the receipt and disposition of used liquor bottles.

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[T.D. 6954, 33 FR 6819, May 4, 1968, as amended by T.D. 7006, 34 FR 2251, Feb. 15, 1969. Redesignated at 40 FR 16835, Apr. 15, 1975, and amended by T.D. ATF-172, 49 FR 14943, Apr. 16, 1984]

Subpart O—Miscellaneous Provisions

§ 251.221 Alternate methods or procedures.

(a) *Application*. An importer who desires to use an alternate method or procedure in lieu of a method or procedure prescribed by this part shall file application, in triplicate, with the regional director (compliance) of the region in which his place of business is located. If the importer has several places of business at which he desires to use such alternate method or procedure, a separate application shall be submitted for each. Each application shall:

(1) Specify the name, address, and permit number of the importer to which it relates;

(2) State the purpose for which filed; and

(3) Specifically describe the alternate method or procedure and set forth the reasons therefor.

No alternate method or procedure relating to the assessment, payment, or collection of tax shall be authorized under this paragraph.

(b) *Approval.* When an application for use of an alternate method or procedure is received, the regional director (compliance) shall determine whether approval thereof would unduly hinder the effective administration of this part or would result in jeopardy to the revenue. The regional director (compliance) shall forward two copies of the application to the Director, together with a report of his findings and his recommendation. The Director may approve the alternate method or procedure if he finds that:

(1) Good cause has been shown for the use of the alternate method or procedure;

(2) The alternate method or procedure is within the purpose of, and consistent with the effect intended by, the specifically prescribed method or procedure, and affords equivalent security to the revenue; and

(3) The alternate method or procedure will not be contrary to any provision of law, and will not result in an increase in cost to the Government or hinder the effective administration of this part.

No alternate method or procedure shall be used until approval has been received from the Director. Authorization for the alternate method or procedure may be withdrawn whenever in the judgment of the Director, the revenue is jeopardized or the effective administration of this part is hindered by the continuation of such authorization.

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[T.D. ATF-2, 37 FR 22743, Oct. 21, 1972. Redesignated at 40 FR 16835, Apr. 15, 1975, and amended by T.D. ATF-172, 49 FR 14943, Apr. 16, 1984]

PART 252—EXPORTATION OF LIQUORS

Subpart A—Scope

Sec.

- 252.1 General.
- 252.2 Forms prescribed.
- 252.3 Related regulations.

Subpart B—Definitions

- 252.11 Meaning of terms.

Subpart C—Miscellaneous Provisions

WITHDRAWAL OR LADING FOR USE ON CERTAIN VESSELS AND AIRCRAFT

- 252.20 Alternate methods or procedures; and emergency variations from requirements.
- 252.21 General.
- 252.22 Vessels employed in the fisheries.
- 252.23 Reciprocating foreign countries.

MANUFACTURING BONDED WAREHOUSES

- 252.25 General.

CUSTOMS BONDED WAREHOUSES

- 252.26 Entry of distilled spirits into customs bonded warehouses.
- 252.27 Entry of wine into customs bonded warehouses.
- 252.28 Withdrawal of wine and distilled spirits from customs bonded warehouses.

FOREIGN-TRADE ZONES

- 252.30 Export status.

VOLUNTARY DESTRUCTION OF LIQUORS AFTER RECEIPT IN A FOREIGN-TRADE ZONE

- 252.35 General.
- 252.36 Application.
- 252.37 Action by regional director (compliance).
- 252.38 Action by district director of customs.

EVIDENCE OF EXPORTATION AND USE

- 252.40 Evidence of exportation: distilled spirits and wine.
- 252.41 Evidence of lading for use on vessels or aircraft: distilled spirits and wine.
- 252.42 Evidence of deposit.
- 252.43 Evidence of exportation and lading for use on vessels and aircraft: beer.

RETENTION OF RECORDS

- 252.45 Retention of records.

PENALTIES OF PERJURY

- 252.48 Execution under penalties of perjury.

Subpart D—Bonds and Consents of Surety

- 252.51 General.
- 252.52 Corporate surety.
- 252.52a Filing of powers of attorney.
- 252.52b Execution of powers of attorney.
- 252.53 Deposit of securities in lieu of corporate surety.
- 252.54 Consents of surety.
- 252.55 Authority to approve bonds and consents of surety.
- 252.56 Disapproval of bonds or consents of surety.
- 252.57 Appeal to Director.
- 252.58 Operations or unit bond—distilled spirits.